

GENERAL LAW COMMITTEE TESTIMONY

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TESTIMONY IN OPPOSITION TO S.B. No. 68: AN ACT PROHIBITING RETAIL BUSINESSES FROM SCANNING OR COPYING CONSUMER'S DRIVER'S LICENSES

The Connecticut Food Association (CFA) is the state trade association that conducts programs in public affairs, food safety, research, education and industry relations on behalf of its 240 member companies—food retailers, wholesalers, distributors, and service providers in the state of Connecticut. CFA's members in Connecticut operate approximately 300 retail food stores and 130 pharmacies. Their combined estimated annual sales volume of \$5.7 billion represents 75% of all retail food store sales in Connecticut. CFA's retail membership is composed of independent supermarkets, regional firms, and large multi-store chains employing over 30,000 associates. The majority of our members are family owned privately owned supermarkets. Our goal is to create a growth oriented economic climate that makes Connecticut more competitive with surrounding states.

First, let me state that members of the CFA are concerned about identity theft and protection of the privacy of consumers. However, the vague wording of the bill may lead to disruption in common practices at the store to verify a customer's identity and thus protect that customer.

It would seem to me that the term "scan" as used in the proposed act, was intended to be synonymous with "copy"...also a term used in the proposed act. We would all agree that there is no need for a retail business transaction to take a "copy" or retain a "scanned image" of a customer's driver's license.

However...and this is where we will have issue with the act as written.....there is a HUGE difference between the term "Scan...as in *copy*" and "Scan as in *read*"

Retailers *scan...as in read*..the drivers license in several instances

1. **To speed up enrollment process the customer.** The data obtained from the DL when "read" is EXACTLY the same data that the customer would provide manually if the license was not scanned.

In fact, I will argue, that using the "scan as in read" method actually PRESERVES the customer's privacy and identification because they do not need to verbalize the information in the public area of the courtesy counter and in minimizes clerk awareness of the data since the required data entry is automated and then the DL immediately handed back to the customer. If clerk has to read it off the license, there is much more opportunity for an unauthorized "photo image" to be taken while the DL is out of the Customers clear sight. Scanning can be done with DL in safety of the customers own possession.

2. **To validate age requirements for certain purchases (Alcohol, liquor, DME and like RX etc),** the DL is "scanned as in read" to extract ONLY date of birth information. No other information is read or retained. The law requires storage of the age data for ABC audit. The data is ONLY stored as part of the transaction log. It is not extracted, modified or used in any other purpose. Again, absent of the DL read, the EXACT same

information is required to be obtained from the customer by presenting the DL to the cashier. So again, scanning is not only convenient, it actually provides the customer with MORE privacy since the cashier is focused on only the barcode of the DL and is not reading the front of the DL looking to extract DOB information. The cashier should of course also review the picture for identification match.

Based on these concerns, we are opposed to S.B. No.68 as written.